

**IN THE UNITED STATES DISTRICT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE GENERIC PHARMACEUTICALS PRICING ANTITRUST LITIGATION	MDL 2724 16-MD-2724
THIS DOCUMENT RELATES TO: <i>Rite Aid Corporation, et al. v. Actavis Holdco U.S., Inc., et al.</i>	HON. CYNTHIA M. RUFÉ Individual Case No.: 2:20-cv-03367-CMR

ORDER

AND NOW, this 28th day of July 2020, upon consideration of the attached Joint Stipulation to Waive Service and Extend the Deadline for Defendants to Respond to Plaintiffs' July 9, 2020 Complaint, it is hereby **ORDERED** that the Stipulation is **APPROVED**.

It is so **ORDERED**.

BY THE COURT:

/s/ Cynthia M. Rufe

CYNTHIA M. RUFÉ, J.

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**JOINT STIPULATION TO WAIVE SERVICE AND EXTEND THE DEADLINE
FOR DEFENDANTS TO RESPOND TO PLAINTIFFS' COMPLAINT**

WHEREAS, Plaintiffs Rite Aid Corporation and Rite Aid Hdqtrs. Corp. (collectively, “Plaintiffs”) filed a Complaint on July 9, 2020, in *Rite Aid Corporation, et al. v. Actavis Holdco U.S., Inc., et al.*, Case No. 2:20-cv-03367-CMR (the “Rite Aid Case”), which appears as a related case in *In re Generic Pharmaceuticals Pricing Antitrust Litigation*, Case No. 16-md-02724-CMR, MDL No. 2724;

WHEREAS, Plaintiffs’ July 9, 2020 Complaint is based on substantially similar facts and allegations as those raised against certain Defendants in the complaint filed by Plaintiff States on May 10, 2019 in *State of Connecticut et al. v. Teva Pharmaceuticals USA, Inc.* (the “Plaintiff States’ May 10, 2019 Complaint”), Case No. 19-cv-2407-CMR, which has been centralized for pretrial proceedings as part of MDL 2724;

WHEREAS, in an Order dated July 25, 2019, the Court adjourned responsive pleadings and/or motions to the Plaintiff States’ May 10, 2019 Complaint until such time as the Court enters an order setting a schedule for responses to that complaint (*see* MDL Doc. No. 1058, approving stipulation);

WHEREAS, the parties agree that responses to the pleadings in this action should be accomplished efficiently and in consideration of the Court's existing scheduling orders in the MDL;

WHEREAS, Defendants Actavis Holdco U.S., Inc., Actavis Pharma, Inc., Akorn, Inc., Alvogen, Inc., Amneal Pharmaceuticals, Inc., Apotex Corp., Aurobindo Pharma USA, Inc., Breckenridge Pharmaceutical, Inc., Camber Pharmaceuticals, Inc., Citron Pharma, LLC, Dr. Reddy's Laboratories, Inc., Emcure Pharmaceuticals, Ltd., Epic Pharma, LLC, Fougera Pharmaceuticals, Inc., Glenmark Pharmaceuticals Inc., USA, Greenstone LLC, G&W Laboratories, Inc., Heritage Pharmaceuticals, Inc., Hi-Tech Pharmacal Co., Inc., Impax Laboratories, Inc., Lannett Company, Inc., Lupin Pharmaceuticals, Inc., Mallinckrodt Inc., Maybe Pharma USA, Inc., Morton Grove Pharmaceuticals, Inc., Mylan N.V., Mylan Pharmaceuticals, Inc., Mylan, Inc., Oceanside Pharmaceuticals, Inc., Par Pharmaceutical, Inc., Perrigo New York, Inc., Pfizer Inc., Pliva, Inc., Sandoz Inc., Sun Pharmaceutical Industries, Inc., Taro Pharmaceuticals USA, Inc., Teligent, Inc., Teva Pharmaceuticals USA, Inc., UDL Laboratories, Inc., Upsher-Smith Laboratories, LLC, Valeant Pharmaceuticals North America, LLC, Valeant Pharmaceuticals International, Versapharm, Inc., West-Ward Pharmaceuticals Corp., Wockhardt USA LLC, and Zydus Pharmaceuticals (USA) Inc. (collectively, "Stipulating Defendants") have agreed to waive service of the Complaint, and the parties have reached an agreement to extend the time within which the Stipulating Defendants must move against, answer, or otherwise respond to the Complaint.

NOW, THEREFORE, pursuant to Local Rule 7.4, the Parties hereby stipulate, and the Court orders, as follows:

1. The Stipulating Defendants waive service of Plaintiffs' Complaint and Summonses pursuant to Federal Rule of Civil Procedure 4(d), and this Stipulation shall be deemed proof of that waiver pursuant to Federal Rule of Civil Procedure 4(d)(4).

2. The deadline for the Stipulating Defendants to move against, answer, or otherwise respond to Plaintiffs' July 9, 2020 Complaint is ADJOURNED until such time as the Court orders for the filing of response(s) to complaints that were filed on or after May 10, 2019.

3. This stipulation does not constitute a waiver by the Stipulating Defendants of any defense, including but not limited to those defenses provided under Federal Rule of Civil Procedure 12.

IT IS SO STIPULATED.

Dated: July 27, 2020

/s/ Eric L. Bloom

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